

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TAMARA GLOVER,

Plaintiff,

-v.-

CAROLYN GRIMALDI, MINDY JENG,
SCOTT MURPHY, NEW YORK STATE
UNIFIED COURT SYSTEM, ROSEMARY
MARTINEZ-BORGES, LINDA DUNLAP-
MILLER, SHAWN KERBY, DAN WEITZ,
NANCY J. BARRY, JUSTIN BARRY,
JENNIFER DILALLO, and KEITH MILLER,

Defendants.

23-CV-5019 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

On August 16, 2023, the Court issued an Order of Service, (Dkt. No. 4), that, among other things, directed the New York Attorney General to provide the names and addresses of “John Doe” Defendants listed in the Complaint, (Dkt. No. 1). The Attorney General provided that information in a letter dated October 6, 2023. (Letter from Lisa Evans to Court (Dkt. No. 8).) On November 2, 2023, Plaintiff filed an Amended Complaint listing the now-named Defendants as parties. (Dkt. No. 9.)¹ The same day, Plaintiff filed a letter requesting additional time to effect service. (Letter from Tamara Glover to Court (Nov. 2, 2023) (Dkt. No. 10).)

¹ It appears that the scanned copy of the Amended Complaint posted on the docket may have omitted Defendants listed on the back page of Plaintiff’s Amended Complaint form. The Court therefore construes the Complaint to name as Defendants all Parties listed on the cover of the Amended Complaint form *and* Defendants named on the first page of the revised “Complaint.” (See Am. Compl. 8.)

The Court has screened the Amended Complaint and determined that it is appropriate to issue summons as to the newly identified Defendants. Once those summonses issue, Plaintiff must serve a copy of the summons and Amended Complaint on each Defendant.

Although Plaintiff requests assistance with service, the Court is unable to provide any. Its help is limited to cases where a plaintiff is permitted to proceed in forma pauperis (“IFP”), which requires a showing of indigency. *See* 28 U.S.C. §§ 1915(a), (d). Because Plaintiff “paid the filing fee” in full and “has not requested leave to proceed IFP” she is responsible “for serving the summons and operative pleading.” *Jackson v. Annucci*, No. 18-CV-1162, 2018 WL 7959122, at *7 (N.D.N.Y. Dec. 19, 2018).

Plaintiff also states that the service addresses of the newly identified Defendants remain unknown to her. The Court respectfully refers Plaintiff to the Attorney General’s October 6, 2023, letter, which contains the information she seeks. A copy of that letter is attached to this Order.

CONCLUSION

The Court respectfully directs the Clerk of Court to issue summons as to Defendants Murphy, Martinez-Gorges, Dunlap-Miller, Kerby, Weitz, (Nancy J. and Justin) Barry, DiLallo, and Miller.

Plaintiff is directed to serve the summonses and the Amended Complaint on each of those Defendants within 90 days of the issuance of the summonses. If within those 90 days Plaintiff has not either served those defendants or requested an extension of time to do so, the Court may dismiss the claims against those defendants under Rules 4 and 41 of the Federal Rules of Civil Procedure for failure to prosecute.

The Court further directs the Clerk of Court to mail a copy of this Order and the Amended Complaint to the Attorney General of the State of New York at 28 Liberty Street, 16th Floor, New York, New York 10005.

SO ORDERED.

Dated: November 7, 2023
White Plains, New York



KENNETH M. KARAS
United States District Judge



NEW YORK STATE
Unified Court System

OFFICE OF COURT ADMINISTRATION

HON. JOSEPH A. ZAYAS
 CHIEF ADMINISTRATIVE JUDGE

HON. NORMAN ST. GEORGE
 FIRST DEPUTY CHIEF ADMINISTRATIVE JUDGE

DAVID NOCENTI
 COUNSEL

October 6, 2023

BY ECF

Hon. Kenneth K. Karas
 United States District Judge
 United States District Court
 Southern District of New York
 300 Quarropas Street
 White Plains, New York 10601

Tamara Glover v Grimaldi, et al..
 23 CV 5019 (KMK)

Dear Judge Karas:

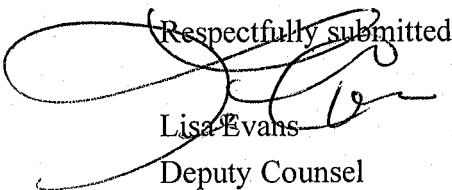
I am an attorney in Counsel's Office for the New York State Office of Court Administration ("OCA"). This letter is submitted pursuant to the Court's Order dated August 16, 2023 (the "Order"), directing that the Attorney General of the State of New York "provide to Plaintiff and the Court the identities and service addresses of the unidentified "John Doe" defendants. Although Plaintiff has listed 10 John Doe defendants, based on our records there were nine (9) individuals involved in the review of Plaintiff's Religious Exemption request. This office has identified the "John Doe" defendants and their addresses as the following:

1. **Scott Murphy**
 187 Wolf Road, Suite 103
 Albany, New York 12250
2. **Rosemary Martinez-Borges**
 111 Centre Street
 New York, NY 10013
3. **Linda Dunlap-Miller**
 111 Centre Street
 New York, NY 10013
4. **Shawn Kerby**
 25 Beaver Street- 7th Floor
 New York, New York 10004

5. **Dan Weitz**
25 Beaver Street
New York, New York 10004
6. **Nancy J. Barry**
111 Dr. Martin Luther King, Jr. Blvd.
White Plains, New York 10601
7. **Justin Barry**
25 Beaver Street-10th Floor
New York, New York 10004
8. **Jennifer DiLallo**
187 Wolf Road, Suite 103
Albany, New York 12205
9. **Keith Miller**
25 Beaver Street-7th Floor
New York, New York 10004

All of the listed individuals are current employees of the New York State Unified Court System.

Respectfully submitted,


Lisa Evans

Deputy Counsel

Cc: Tamara Glover
Pro Se Plaintiff
(Via Email & Regular Mail)
Charles F. Sanders
Assistant Attorney General
(Via Email)